

Remarks/Arguments:

This Amendment adds no new claims, and is provided to amend the specification and amend claims 1, 2, 3, 12, 14, 15 and 16. No new matter has been added. Upon entry of this Amendment, claims 1-24 will be pending.

Objection to the Specification

The Examiner has objected to the Abstract as using legal phraseology. Accordingly, the Applicant has have amended the Abstract as suggested by the Examiner, and respectfully request the withdrawal of the objection to the specification.

The Applicant has amended the paragraph of page 8, between lines 14-23, to clarify that the rotation of the boss 25 within the boss cavity 131a, rotates with one of either a lesser degree of resistance, or a greater degree of resistance. This is not new matter and more closely matches the description elsewhere in the specification (see paragraph of pages 8-9, lines 29-33, 1-5). Once aligned and no further rotation is desired, securing occurs using screws (see paragraph of page 9, lines 10-12).

The Applicant has also amended paragraphs of pages 5-6 and 8-9 to correct typographical errors.

Objection to the Claims

The Examiner has objected to claims 3 and 16 as having a number of informalities. Accordingly, the Applicant has have amended claims 3 and 16 as suggested by the Examiner, and respectfully request the withdrawal of the objection to the claims.

Claims 3, 14 and 16 have also been amended to correct antecedent and typographical errors.

Rejections of the Claims under 35 U.S.C. 102(e)

The Examiner has rejected claims 1 and 12-13 under 35 U.S.C. 102(e), as being anticipated by U.S. Patent No. 6,687,283, issued to Naoe et al. (hereinafter Naoe). Specifically, the Examiner points to Naoe as disclosing a multibeam light source unit comprising a laser diode unit, a rotational member, a fixing member, a temporary joining part and a fixing part, purportedly anticipating the invention as claimed by the Applicant in claim 1. The Examiner further points to Naoe as disclosing a scanning/image resulting unit having a polygon mirror and a scanning lens, and a frame, purportedly anticipating the invention as claimed by the Applicant in claim 12.

However, the Applicant has amended claims 1 and 12 to further recite that the rotational member rotates “under restriction, wherein the restriction is increased when the rotational member is rotated for position alignment”. This is not new matter and is noted in the specification and figures (see pages 7-8, lines 31-33, 1-3). In contrast, the rotation restricting pin 29 and the loose insertion hole 39 disclosed by Naoe, do not disclose nor reasonably suggest rotation under restriction, beyond whatever restriction may exist between the cylinder 32 and the hole 25 of Naoe (see col. 8, lines 60-65). Further, Naoe does not disclose nor reasonably suggest rotation under greater restriction, as claimed by the Applicant in claims 1 and 12 as amended. The restricting pin 29 of Naoe, allows movement only to the extent allowed by hole 39, at which point no rotation is allowed. Accordingly, *rotation* under greater restriction is not disclosed nor reasonably suggested.

For the reasons noted above, the Applicant asserts that the Naoe reference does not disclose nor reasonably suggest each element as claimed by the Applicant in independent claims 1 and 12 as amended. Accordingly, the Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. 102(e) of independent claims 1 and 12, and request the withdrawal of the rejection of dependent claim 13 which depends from claim 12, for the same reasons.

Regarding claim 13, the Examiner, in addition to the reasons stated above, further points to Naoe as disclosing the multi-beam light source unit being fixed and installed in a bottom wall of a frame, purportedly anticipating the invention as claimed by the Applicant in claim 13.

However, for the reasons stated above, the Applicant asserts that the Naoe reference does not teach nor reasonably suggest each element as claimed by the Applicant in independent claim 12 as amended, from which claim 13 depends. Accordingly, the Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. 102(e) of dependent claim 13 for the same reasons.

Rejections of the Claims under 35 U.S.C. 103(a)

The Examiner has rejected claims 2, 6, 10-11, 15 and 22-24 under 35 U.S.C. 103(a) as being unpatentable over Naoe, in view of U.S. Patent Publication No. 2005/020617, issued to Boyatt, III et al. (hereinafter Boyatt). Specifically, regarding claims 2, 6 and 15, the Examiner points to Naoe as disclosing the claimed invention with the exception of the plurality of elastic ribs and the operation circuit board connected to the rotational member. The Examiner points to Boyatt as disclosing the plurality of elastic ribs and the operation circuit board connected to the rotational member, purportedly rendering obvious the invention as claimed by the Applicant in claims 2, 6 and 15.

However, the Applicant has amended claims 2 and 15 to further recite "the rotational boss comprising an outer periphery having a varied radius". This is not new matter and is noted in the specification and figures (see page 8, lines 14-23 and Figs. 7A-7B). In contrast, neither the Naoe or Boyatt references disclose or reasonably suggest a rotational boss with a varied, or stepped outer periphery as shown in Applicant's Figs. 7A-7B, and claimed in claims 2 and 15 as amended.

Further, for the reasons noted above, the Applicant asserts that the Naoe and Boyatt references do not disclose nor reasonably suggest alone or in combination,

each element as claimed by the Applicant in independent claims 1 and 12 as amended, from which claims 2, 6, and 15 depend. Specifically, neither Naoe or Boyatt alone or in combination disclose or reasonably suggest a rotational member that rotates under restriction, wherein the restriction is increased when the rotational member is rotated for position alignment. Accordingly, the Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. 103(a) of dependent claims 2, 6 and 15, for the same reasons.

Regarding claims 10-11 and 22-24, the Examiner points to Naoe as disclosing the claimed invention with the exception of the settle unit as part of the fixing unit. The Examiner points to Boyatt as disclosing a settle unit as part of the fixing unit, purportedly rendering obvious the invention as claimed by the Applicant in claims 10-11 and 22-24.

However, the Applicant has amended claim 2 from which claims 10-11 depend. The Applicant has further amended claims 1 and 12 from which claims 2 and 22-24 depend. Accordingly, for the reasons noted above, the Applicant asserts that the Naoe and Boyatt references do not disclose nor reasonably suggest alone or in combination, each element as claimed by the Applicant in independent claims 1, 2 and 12 as amended, from which claims 10-11 and 22-24 depend. Specifically, neither Naoe or Boyatt alone or in combination disclose or reasonably suggest a rotational member that rotates under restriction, wherein the restriction is increased when the rotational member is rotated for position alignment. Further, neither Naoe or Boyatt alone or in combination disclose or reasonably suggest a rotational boss with a varied, or stepped outer periphery. Accordingly, the Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. 103(a) of dependent claims 10-11 and 22-24, for the same reasons.

The Examiner has rejected claims 7-9, 14 and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Naoe, in view of U.S. Patent No. 6,992,690, issued to Mogi

et al. (hereinafter Mogi). Specifically, the Examiner points to Naoe as disclosing the claimed invention with the exception of the rotational member comprising an arc shaped slot through which at least one screw passes. The Examiner points to Mogi as disclosing an arc shaped slot through which at least one screw passes, purportedly rendering obvious the invention as claimed by the Applicant in claims 7-9 and 19-21.

However, the Applicant has amended claims 1 and 12 from which claims 7-9 and 19-21 depend. Accordingly, for the reasons noted above, the Applicant asserts that the Naoe and Mogi references do not disclose nor reasonably suggest alone or in combination, each element as claimed by the Applicant in independent claims 1 and 12 as amended, from which claims 7-9 and 19-21 depend. Specifically, neither Naoe or Mogi alone or in combination disclose or reasonably suggest a rotational member that rotates under restriction, wherein the restriction is increased when the rotational member is rotated for position alignment. Accordingly, the Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. 103(a) of dependent claims 7-9 and 19-21, for the same reasons.

Regarding claim 14, the Examiner points to Naoe as disclosing the claimed invention with the exception of a cylindrical lens for linearly condensing a plurality of the laser beams on a reflection surface of the polygon mirror. The Examiner points to general knowledge of those skilled in the art as disclosing such a cylindrical lens, purportedly rendering obvious the invention as claimed by the Applicant in claim 14.

However, the Applicant has amended claim 12 from which claim 14 depends. Accordingly, for the reasons noted above, the Applicant asserts that neither the Naoe reference or general knowledge of those skilled in the art disclose or reasonably suggest alone or in combination, each element as claimed by the Applicant in independent claim 12 as amended, from which claim 14 depends. Specifically, neither Naoe or general knowledge of those skilled in the art alone or in combination disclose or reasonably suggest a rotational member that rotates under restriction, wherein the restriction is increased when the rotational member is rotated for position

alignment. Accordingly, the Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. 103(a) of dependent claim 14, for the same reasons.

Double Patenting Rejection

The Examiner has provisionally rejected claims 6, 9 and 14 as being unpatentable over claims 6, 3 and 12 of copending Application No. 10/827,422 (Atty. Ref. No. 46281-OEC/1631/US) in view of Naoe.

Regarding claim 6, the Examiner points to claims 1, 2 and 6 of the copending Application No. 10/827,422 as disclosing a diode unit, a rotating member and a fixing member, wherein the diode unit comprises a driving circuit board.

Regarding claim 9, the Examiner points to claims 1 and 3 of the copending Application No. 10/827,422 as disclosing a diode unit, a rotating member, a fixing member, a pair of screws and a pair of circular arc-shaped holes into which the screws are engaged to fix the rotating member to the fixing member.

Regarding claim 14, the Examiner points to claims 9 and 12 of the copending Application No. 10/827,422 as disclosing a multibeam light source unit, a scanning/image resolution unit and a frame, wherein the rotating member comprises a press fit hole, the fixing member comprises a first member, and comprises a second member fixed onto the bottom of a frame.

However, the independent claims 1 and 9 of the copending Application No. 10/827,422 have been amended to further recite a first and second member of the fixing member, wherein the second member is substantially perpendicular to the first member and bisected by a continuous semi-circular groove.

Further, the Applicant has amended the independent claims 1 and 12, from which claims 6, 9 and 14 depend, as described above. Specifically, the Applicant has amended claims 1 and 12 to further recite a rotational member that rotates under restriction, wherein the restriction is increased when the rotational member is rotated for position alignment.

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Amendment dated October 13, 2006
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Accordingly, claims 6, 9 and 14 are now believed to be patentably distinct from the reference claims of the copending Application No. 10/827,422, in view of Naoe. Accordingly, the Applicant respectfully requests the withdrawal of the double-patenting rejection of claims 6, 9 and 14.

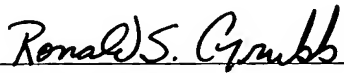
Allowable Subject Matter

The Examiner is thanked for the allowable subject matter of claims 3-7, and 16-18. However, for the reasons noted above, the Applicant believes that claims 1-24 are now in condition for allowance.

Conclusion

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



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